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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,854	11/12/2003	Hironori Sanada	15115/095001	6547
7590	12/13/2005			EXAMINER ROJAS, BERNARD
Jonathan P. Osha Rosenthal & Osha L.L.P. Suite 2800 1221 McKinney St. Houston, TX 77010			ART UNIT 2832	PAPER NUMBER
DATE MAILED: 12/13/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/706,854	SANADA ET AL. <i>(PW)</i>
	<b>Examiner</b>	<b>Art Unit</b>
	Bernard Rojas	2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 September 2005.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 12 November 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Response to Arguments***

Applicant's arguments filed 09/28/2005 have been fully considered but they are not persuasive. Mader [US 5,719,541] discloses that the top corner portions of the moving plate are bent [as claimed] into an upper component and lower component to form a card acceptance portion as shown in figures 9A-9B.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Mader [US 5,719,541].

Claim 1, Mader discloses an electromagnetic relay [figure 1] in which a moving contact plate [1] and fixed contact plates [10, 11] are juxtaposed with one another on a base, a moving iron plate [3] is rotated on the basis of magnetization/demagnetization of a coil block [5] put on said base to reciprocate a card [2] in a horizontal direction, and said moving contact plate is allowed to undergo elastic deformation so that a moving contact provided to said moving contact plate is brought into contact with and out of contact from fixed contacts provided to said fixed contact plates, wherein: each corner at the top of said moving contact plate is bent into an upper component and a lower

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component [figure 9, 20] in such a fashion as to form card acceptance portions [14], and a distal end portion [7] of said card is brought into contact with an inner surface of said card acceptance portions.

Claim 2, Mader discloses the electromagnetic relay according to claim 1, wherein said card has a guide portion for guiding said card acceptance portions formed on said moving contact plate from both sides [2a, 2b, figure 1].

Claim 3, Mader discloses the electromagnetic relay according to claim 2, wherein said card has a reduced thickness portion [7] guided by said card acceptance portions, and said reduced thickness portion guide said card acceptance portions [figure 1].

Claim 4, Mader discloses the electromagnetic relay according to any of claims 1 to 3, wherein said fixed contact plate [11] is interposed between said moving contact plate and said coil block so that a bent portion at a distal end thereof is positioned above a push-in position of said moving contact plate, and said card acceptance portion of said moving contact plate has an escape portion for allowing insertion of said fixed contact plate [figure 1].

Claims 5 and 6, Mader discloses an electromagnetic relay wherein said fixed contact plate [12] is interposed between said moving contact plate and said coil block so that a bent portion at a distal end thereof is positioned above a push-in position of said moving contact plate [figure 12], and said card acceptance portion of said moving contact plate has an escape portion [the space between projections 2a of the card 2] for allowing insertion of said fixed contact plate [figure 1].

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernard Rojas whose telephone number is (571) 272-1998. The examiner can normally be reached on M-F 8-4:00), every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin G. Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bernard Bruns  
Br

CWJ  
SPT-AL 2832  
12/12/08